

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Appln. No. 09/830,605
Attorney Docket No. Q64273

AMENDMENTS TO THE DRAWINGS

Attachment: One (1) Replacement Sheet

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REMARKS

The present invention relates to an adhesive label comprising a circuit substrate, electronic component formed on at least one surface of the circuit substrate, and an adhesive layer on the electronic component; the adhesive layer can be applied to an article.

1. Office Action Dated June 2, 2003

In the Office Action dated June 2, 2003, it was indicated in the Office Action Summary that the proposed drawing correction filed on April 29, 2003 was approved (i.e. the proposed correction being the labeling of Fig. 3 as “Prior Art”). Accordingly, submitted simultaneously with this Amendment is a corrected drawing corresponding to the drawing with the proposed change indicated in the filing of April 29, 2003.

At page 2 of the Office Action, it is appreciated that the Examiner indicated that the rejections not maintained are withdrawn. However, the rejection of claim 1-7 under 35 U.S.C. § 112, second paragraph, was maintained with respect to certain recitations in the claims, with the Examiner particularly noting the recitation in claim 1 “laminated and said adhesive layer is to applied to an article”, and with respect to claim 3 the Examiner indicated that he considered the structural relation of the adhesive layer in the label to still be vague and indefinite.

In response to the foregoing, Applicant’s have herein amended claim 1 to simplify and improve the clarity of the recitation. Claim 3 has been canceled; in view of the cancellation of

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claim 3, the dependency of claims 4 and 5 have been amended. Accordingly, it is respectfully submitted that the rejections under 35 U.S.C. § 112 have been overcome and should be withdrawn.

At pages 2-3 of the Office Action, the rejection of claims 1-7 under 35 U.S.C. § 103(a) based on Applicants' alleged admission in view of Tanimura et al was maintained, with the Examiner further indicating that Tanimura et al was considered to illustrate in Fig. 2 adhesive layer 15 completely covering the electronic components, and the Examiner furthermore indicated a belief that the "both faces adhesive material" layer of Tanimura et al is a pressure sensitive adhesive layer, allegedly further evidenced in Fig. 3.

Applicants respectfully traverse this sole remaining prior art rejection, and request the Examiner's reconsideration and withdrawal of this rejection for the reasons explained below.

As shown in Fig. 2 of the Tanimura reference, the pressure sensitive adhesive layer 15, which comes into direct contact with the IC 20 and antenna wiring 30 is covered with the reinforcing material 14. Furthermore, the pressure sensitive adhesive layer 13 and the coated paper 12 are further mounted on the reinforcing material 14. This means that the pressure sensitive adhesive layer 15 does **not** come into direct contact with the surface of the video cassette tape 2 (see Figs. 3 and 4). In distinct contrast to Tanimura et al, as shown in Figs. 1 and 2 of the present application, the adhesive layer 7 in which the electric circuit 21 and IC chip

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2 are embedded does come into direct contact with the article. Therefore, the thickness of the adhesive label in accordance with the present invention can be thinned as a whole, the number of the materials and layers used can be reduced, the manufacturing process thereof can be simplified, and the manufacturing costs can be reduced. These benefits in accordance with the presently claimed invention are described, e.g., at pages 4-5 of the present specification. Accordingly, it is respectfully submitted that the rejection under 35 U.S.C. § 103 based on Tanimura et al should now be withdrawn, and remaining claims 1, 2 and 4-7 allowed forthwith.

2. Advisory Action Dated January 21, 2004

In “Note,” the Examiner indicated that the recitation “adhesive layer being to be applied to an article” in claim 1 raises new issues pertaining to steps of using, which would require further consideration and/or search. The Examiner further asserts that this recitation renders the claims indefinite.

In response, Applicants have in the present Amendment, rewritten claim 1 to replace “said adhesive layer being to be applied to an article” with --said adhesive layer is suitable for application to an article--. Applicants respectfully submit that this recitation simple defines a property of the adhesive layer, but does not pertain to a step of using. Further, Applicants respectfully submit that claim 1 as amended is not indefinite.

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Further, in the Amendment of December 2, 2003, Applicants argued that “the pressure sensitive adhesive layer 15 [of Tanimura et al] does not come into direct contact with the surface of the video cassette tape.” In response, the Examiner asserted that Tanimura et al teaches the electronic components embedded in adhesive layers (15, 17).

Applicants wish to point out that Applicants’ argument lies in the lack of adhesive layer 15 of Tanimura et al coming into direct contact with the surface of the video cassette tape, not to the lack of electronic components’ being embedded in adhesive layers. That is, in Tanimura et al, the adhesive layer 15 cannot come into contact with the surface of the video cassette tape, because it is not an outermost layer (Fig. 2).

In view of the above, reconsideration and allowance of claims 1, 2 and 4-7 are now believed to be in order, and such actions are hereby solicited.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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